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Attorneys for Plaintiff
Industrial Building Materials, Inc.

FILED

JAN 23 1968

CLERK, U. S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
L. Shellman DEPUTY

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

INDUSTRIAL BUILDING MATERIALS, INC., a corporation,

Plaintiff,

vs.

INTERCHEMICAL CORPORATION, a corporation, and MARTIN-MARIETTA CORPORATION, a corporation,

Defendants.

NO. 64-432 AAH Civil

NOTICE OF APPEAL

Notice is hereby given that plaintiff Industrial Building Materials, Inc. in the above-captioned action hereby appeals to the United States Court of Appeals for the Ninth Circuit from the Judgment entered in this action on December 26, 1967.

GEORGE W. JANSEN
110 Laurel Street
San Diego, California 92101

PAUL B. WELLS
PROCOPIO, CORY, HARGREAVES & SAVITCH
1900 First National Bank Building
San Diego, California 92101

By George W. Jansen
Attorneys for Appellant

DATED: January 23, 1968

2986

Copy of the within Notice of Appeal received this 23rd day of January, 1968.

McCUTCHEN, BLACK, VERLEGER & SHEA

By J. Richard Haley
Attorneys for Defendant
Interchemical Corporation

SHEPPARD, MULLIN, RICHTER & HAMPTON

By Carlton C. Taylor
Attorneys for Defendant
Martin-Marietta Corporation

A TRUE COPY:
ATTEST: JUL 31 1968
W. B. LUCK, Clerk
By William E. Wilson
William E. Wilson, Chief Deputy

CIVIL DOCKET ~~TRANSFERRED TO~~ ~~WILLIAM J. LINDBERG~~ **6375**

UNITED STATES DISTRICT COURT — Jury demand date: Feb. 8, 1965 by Pltff. — RETRANSFERRED TO: WILLIAM J. LINDBERG

C. Form No. 105A Rev.

TITLE OF CASE	ATTORNEYS
GEORGE F. HERRMAN and MAGDALENA HERRMAN, his wife; VERNON J. McKALE and VICTORIA A. McKALE, HIS WIFE; CLYDE A. McKALE and EVELYN V. McKALE, his wife' and JAMES Q. RONALD and CLEO K. RONALD, his wife; on behalf of themselves and others similarly situated v. TEXACO, INC., a Delaware corporation	For plaintiff: Ronald E. McKinstry, Peter D. Byrnes, Bogle, Bogle & Gates For defendant: Pendleton Miller Grosscup, Ambler, Miller & Lawrence Admitted specially for this case: James O. Sullivan also for Texaco-William J. Walsh, Jr. & John Lackland. NEW ADDRESS FOR: James O. Sullivan 110 Laurel St. San Diego, Cal. 92101 (714) 233-6391

Cf in 2 drawer filing cabinet

STATISTICAL RECORD	COSTS			DATE	NAME OR RECEIPT NO.	REC.		DISB.	
J. 5 mailed	Clerk			1965					
				Feb. 3	Grosscup, Ambler, Lawrence	15	00		
J. 6 mailed	Marshal			Feb. 5	Dep Tr. U.S. CD #124.			15	00
Cause of Action:	Docket fee								
Breach of agreement to purchase stock, damages for loss incurred in sale to another at less price. (McKale's)	Witness fees								
	Depositions								

6375

DATE	PROCEEDINGS	Date Order Judgment I
1965		
Feb. 3	Filed Petition for Removal from Superior Court of King County, Complaint and Summons attached. (1)	
"	Filed Bond for removal $250. Travelers Indemnity Co. (2)	
Feb. 8	Filed Plaintiff's demand for jury trial. (3)	
"	Filed Plaintiff's notice of taking depositions, New York, Los Angeles and San Francisco, John Mingay and others. (4)	
"	Filed Defendant's answer. (5)	X
"	Filed Defendant's notice of taking depositions Vernon McKale and three. (6)	
Feb. 9	Filed Plaintiffs' motion to stay defendant's discovery until completion of plaintiff's discovery, due to prior notice. (7)	
"	Filed memorandum in support of above motion (8) and affidavit of Peter D Byrnes (9).	
"	Filed notice of hearing motion Feb. 15, 1965, 9:30 a.m. (10)	
Feb. 9	Ent. order granting plaintiff's motion to set February 16, 1965, 9:30 a.m. as time for hearing plaintiff's motion to stay taking of depositions.	
Feb. 11	Motion to stay discovery reset for hearing Feb. 12, 1965, 2 p.m. on request defendant.	
Feb. 12	FiledDefendant's motion for continuing hearing on motion to stay. (11)	
"	Ent. order admitting James O. Sullivan specially to appear in this case on the oral motion of Pendleton Miller.	
"	Ent. record of hearing on discovery procedure. After argument, the matter is continued to Bebruary 16, 1965, 4:00 P.M.	
"	Filed Affidavit of Ronald E. McKinstry and Peter D. Byrnes in Reply to Defend nt's Motion for Continuance. (12)	
Feb. 16	Ent. order striking further hearing on discovery procedure from calendar on request of Pendleton Miller with consent of counsel, matter agreed upon.	
"	Filed Stipulation Regarding Depositions and Other Discovery. (13)	
Feb. 26	Filed Plaintiffs' Motion for Production of Documents. (14)	
"	Filed Plaintiffs Notice of hearing above motion on March 8, 1965 at 9:30 A.M. (15)	
Mar. 3	Filed Defendants Memo. of Points & Authorities in Opposition to Plaintiffs' Motion for Production of Documents. (16)	
" 11	Filed Affidavit of Pendleton Miller in Opposition to Plaintiffs' Motion for Production of Documents. (17)	
March 8	Filed Order Regarding Production of Documents by Defendant. (18)	
Apr. 19	Ent order for assignment Aug. 2, 1965 11 am.	
May 7	Filed application of George W. Jansen, non-resident counsel for permission to participate on behalf defendant. (19)	
May 11	Filed order on motion for production of documents. (20)	
July 6	Filed order for production of documents. (21)	
Aug. 2	Ent. order for assignment Nov. 8, 1965 11 a.m.	

DATE	PROCEEDINGS	CLERK'S FEES: PLAINTIFF	CLERK'S FEES: DEFENDANT	AMOUNT REPORTED ON ENCLOSURE RETURNS
1965				
Nov. 3	Filed Defendant's motion for production of documents.		(22)	
"	Filed affidavit of George W. Jansen in support of motion.		(23)	
"	Filed memorandum of authorities.		(24)	
"	Filed notice of hearing motion for production and other motions Nove. 15, 1965, 9:30 a.m.		(25)	
Nov. 15	Ent. order for assignment March 7,1966 11 a.m.			
"	Ent. order admitting George W. Jansen specially on behalf defendant.			
"	Ent. order denying deft. motion to produce, after argument.			
1966				
Mar. 7	Ent. order for assignment July 1, 1966 10 a.m.			
Mar. 16	Filed Defendant's Motion for Protective Order.		(26)	
"	Filed Affidavit of George W. Jansen.		(27)	
"	Filed Defendant's Memorandum of Points & Authorities.		(28)	
"	Filed Defendant's Notice of hearing motion for protective order, March 25, 1966, 9:30 A.M.		(29)	
Mar. 21	Filed Memorandum of Points and Autho. in Opp. to Defendant's Motion for a Protective Order.		(30)	
Mar. 25	Filed Plaintiffs' First Interrogatories to Defendant.		(31)	
"	Ent. record of argument on deft. Texaco's motion for protective order. Continued to April 1, 1966 9:30 A.M. for decision.			
Mar. 29	Filed Deft: Texaco's Posthearing Memorandum of Points and Authorities on Motion for Protective Order Concerning Transcripts of Depositions.		(32)	
Apr. 1	Filed memorandum decision requiring plaintiffs to pay cost of original transcript on depositions unless parties agree otherwise.		(33)	
"	Ent. record of hearing on written opinion. Court states written opinion will stand as signed.			
Apr. 15	Filed Defendant's answer to first interrogatorie.		(34)	
June 24	Filed Plaintiffs' notice of taking deposition Augustus C. Long.		(35)	
July 1	Ent. order for assignment Oct. 21, 1966 10:30 a.m.			
July 13	Filed stipulation re discovery procedure.		(36)	
Aug. 19	Filed Stipulation regarding Discovery proceddre re depositions of Augustus C. Long et al.		(37)	
Oct. 21	Ent. order for assignment Feb. 10, 1967 10:30 a.m.			
Dec. 14	Filed Deposition of Augustus C. Long, behalf of pltfs.		(38)	

6375

DATE	FILINGS—PROCEEDINGS	CLERK'S FEES: PLAINTIFF	CLERK'S FEES: DEFENDANT	AMOUNT REQUIRED IN EXCLUSIVE RETURNS
1967	Lane, Powell, Moss and Miller and James O. Sullivan in place of			
Feb.9	Filed substitution of attorneys-George W. Jansen withdrawn (39)			
Feb. 10	Ent. order for assignment June 23, 1967 10:30 a.m.			
June 23	Ent. order for assignment Sept. 15 1967 2 p.m.			
Sept. 15	Ent. order setting trial for May 21, 1968. Ent. order setting pretrial for March 22, 1968 at 2 p.m.			
Nov. 7	Filed Stipulation for Filing of Amended Complaint and Amended Answer.		(40)	
Nov. 7	Filed Amended Complaint.		(41)	
Nov. 7	Filed Answer of deft. Texaco to Amended Complaint.		(42)	X
Nov. 7.	Filed Notice of Association of Additional Attorneys representing Texaco, Inc. William J. Walsh Jr. and John Lackland are associated with Pendleton Miller and James O. Sullivan.		(43)	
Nov. 7	Filed defendant Texaco's Interrogatories Set. No. 1.		(44)	
Nov. 15	Filed change of address of deft. Texaco's counsel, James O. Sullivan.		(45)	
Nov. 16	Filed stipulation and order extending time to answer and/or object to defendant's interrogatories-to and including December 18, 1967.		(46)	
Dec. 14	Filed stipulation regarding defendant's interrogatories.		(47)	
Dec. 19	Filed answers of Clyde A. McKale to deft.'s interrogatories set No. 1.		(48)	
Dec. 19	Filed answers of Vernon J. McKale to deft.'s interrogatories set No. 1.		(49)	
Dec. 19	Filed answers of James Q. Ronald to deft.'s interrogatories set No. 1.		(50)	
Dec. 19	Filed answers of George F. Herrman to deft.'s interrogatories set No. 1.		(51)	
Dec. 19	Filed answers of Benjamin L. Burroughs to deft.'s interrogatories set No. 1.		(52)	
Dec. 19	Filed answers of Wylie M. Hemphill to deft.'s interrogatories set No. 1.		(53)	
1968				
Jan. 8	Filed deposition of George F. Herrman-behalf of deft.		(54)	
Jan. 11	Filed plaintiffs' answers to Texaco Inc.'s interrogatories: Gertrude H. Larson (55); Maude E. Jacobs (56); Luella C. Hamilton (57); Carl O. Dakan (58); Robert Tompkins (59); Kathryn B. Wille (60); Cleo K. Ronald (61); Jeannette L. Mikesell (62); Evelyn V. McKale (63); Kenneth C. May (64); B. H. Lundberg (65); Mrs. J. E. Lockyer (66).		(55)	
Mar. 13	Entered order transferring cause to Judge Bowen for Trial.			
Mar. 13	Entered order advancing trial date to May 20, 1968. Pretrial hearing set for April 19, 1968 at 2:00 P.M. before Judge Lindberg. (If Court cannot reach, then hearing will be on April 26, 1968 at 2:00 P.M.) Counsel notified.			
Mar. 29	Filed Plaintiff's Notice of Taking Deposition-John I. Mingay.		(67)	
Apr. 1	Filed Defendant's Motion to Vacate Plaintiffs' Notice of Taking Deposition of John I. Mingay, and to stay taking of Such Deposition until April 29 or thereafter.		(68)	
"	Filed Affidavit of William J. Walsh, Jr. re deposition of Mingay.		(69)	
"	Filed Notice of hearing above Motion on April 12, 1968.		(70)	
Apr. 2	Filed Defendant's Second Interrogatories.		(71)	

DATE	PROCEEDINGS	CLERK'S FEES PLAINTIFF	CLERK'S FEES DEFENDANT	AMOUNT REPORTED ON ENROLLMENT RETURNS
1968				
Apr. 2	Filed affidavit of Peter D. Byrns, of counsel for the plaintiffs, re taking deposition of John I. Mingay.		(72)	
Apr. 3	Entered Record of Hearing defendant's motion to vacate and stay the taking of the oral examination of John I. Mingay. Counsel to arrange time of examination between themselves.			
Apr. 3	Entered order setting April 26, 1968 for pretrial hearing. Pretrial date of April 19, 1968 is stricken. Prospective Pretrial Order to be lodged by April 22, 1968.			
Apr. 4	Filed Defendant's Motion for Production of Documents.		(73)	
Apr. 4	Filed Affidavit of James O. Sullivan in Support of Defendant's Motion for Production of Documents		(74)	
Apr. 4	Filed Defendant's Notice of Hearing Motion for Production of Documents on April 12, 1968 at 9:30 A.M.		(75)	
Apr. 4	Filed Order Re Taking of Deposition of John I. Mingay.		(76)	
Apr. 5	Filed Defendant's Third Set of Interrogatories		(77)	
Apr. 8	Ent. order continuing hearing on Motion for Production by Defendant to Apr. 26, 1968 at 2:00 P. M.			
Apr. 10	Filed Affidavit of Service by Defendants re Motions.		(78)	
Apr. 12	Filed Plaintiffs' Objections to Defendants' Second and Third Interrogatories.		(79)	
Apr. 12	Filed Memorandum of Authorities in Support of Plaintiffs' Objections to Interrogatories.		(80)	
Apr. 12	Filed Plaintiffs' Memorandum of Authorities in Opposition to Defendants' Motion for Production of Documents.		(81)	
Apr. 12	Filed Defendant's First Supplemental Request for Admissions.		(82)	
"	Filed Defendant's Motion re Class Action Determination.		(83)	
"	Filed Defendant's Notice of hearing above motion, 4/26/68 at 2:00 P. M.		(84)	
Apr. 19	Filed Defendant's Motion for Leave to Amend Answer to Amended Complaint.		(85)	
Apr. 22	Filed Defendant's Request for Admissions.		(86)	
Apr. 22	Filed Stipulation and Order Extending Time to Answer and/or object to Defendant's First Supplemental Request for Admissions.		(87)	
Apr. 23	Lodged Proposed Pretrial Order.			
Apr. 23	Lodged Defendant's Suggested Additions to the Pretrial Order.			
Apr. 24	Filed Plaintiffs' Motion to Strike Certain Contentions and Issues by Defendant from the Pretrial Order.		(88)	
Apr. 24	Filed Memorandum in Support of Plaintiffs' Motion to Strike Certain Contentions by Defendant from Pretrial Order.		(89)	
Apr. 24	Filed Plaintiffs' Memorandum of Authorities Re: Defendant's Motion for Class Action Determination.		(90)	
Apr. 24	Filed Deft.'s Second Supplemental Request for Admission.			(91)
Apr. 25	Filed Affidavit of Service on Deft.'s Motion to amend answer.			(92)
Apr. 26	Filed Defendant's Memorandum re Proposed Pretrial Order.			(93)
"	Ent. record of PRETRIAL HEARING. Counsel to institute any more discovery by May 2 and completed by May 8th.			
"	Ent. order granting deft/s motion for production of documents.			

DATE 1968	FILINGS—PROCEEDINGS	CLERK'S FEES PLAINTIFF	CLERK'S FEES DEFENDANT	AMOUNT REPORTED IN EMOLUMENT RETURNS
Apr. 26	Ent. order ruling this is a class of action that comes under R23(b)(1)(B), after argument.			
"	Ent. order setting further pretrial hearing for May 15, 1968, 2:00 P.M. Plaintiff's Brief to be filed by May 15th and defendant's by May 17th. Counsel to exchange list of exhibits by May 10th, 1968. Voir dire instructions by May 17th and defendant's motion for summary judgment to be filed by May 15th.			
Apr. 29	Filed Plaintiffs' Objections to Defendant's Request for Admissions			
Apr. 29	Filed Affidavit of Peter D. Buyrnes in Support of Plaintiffs' Objections to Defendant's Request for Admissions.			
Apr. 29	Filed Plaintiffs' Objections to Defendant's First Supplemental Request for Admissions.			
Apr. 29	Filed Plaintiffs' Answers to Certain of Defendant's First Supplemental Request for Admissions.			
Apr. 29	Filed Plaintiffs' Answers to Defendant's Second Set of Interrogatories.			
Apr. 29	Filed Plaintiffs' Answers to Defendant's Third Set of Interrogatories.			
Apr. 29	Filed Plaintiffs' Answer to Defendant's Second Supplemental Request for Admission.			
May 2	Filed Deposition of Benjamin L. Burroughs-behalf of deft.			(101
May 6	Filed Deposition of Charles Edward Rathbone taken by deft. with exhibits.			(102)
May 7	Filed deposition of Wiley M. Hemphill taken by deft.			(103)
May 9	Filed deposition of Vernon J. McKale in three volumes, taken by defendant.			(104)
May 10	Filed Response to Plaintiffs' Objections to Defendant's Requests for Admissions.			(105)
May 10	Filed Defendant's Objections to the Responsiveness of Plaintiffs' Answers to Interrogatories.			(106)
May 13	Filed Continued Oral Discovery Deposition of Vernon J. McKale by Defendant			(107)
May 13	Filed defendant's motion to strike interrogatories propounded by plaintiffs to union witnesses.			(108)
"	Filed defendant's notice ofhearing motion to strike, etc. on May 15, 1968 2 pm.			(109)
May 14	Lodged Plaintiff's Correction to Pre-Trial Order.			
~~May 14~~	~~Filed Memorandum of Points and Authorities in Opposition to Defendant's Motion to Dismiss.~~ (See #51393)			~~(110)~~
May 14	Filed Memorandum in Opposition to Defendant's Motion to Strike Plaintiff's Cross Interrogatories to Union Witnesses.			(110)
May 14	Filed Defendant's Motion to strike certain contentions of disputed facts.			(111)
May 15	Filed Deposition of James Q. Ronald on behalf of deft.			(112)
May 15	Filed Deposition of James Q. Ronald on behalf of deft.			(113)
"	Filed Deposition of Clyde A. McKale on behalf of deft.			(114)
"	Filed Deposition of Robert W. Graham on behalf of deft.			(115)
"	Filed Deposition of Richard S. Sprague on behalf of deft.			(116)
"	Filed Deposition of Miles W. Newby, Jr. on behalf of deft. (3 vols.)			(117)
"	Filed Defendant's Motion for Summary Judgment or Partial Summ. Jdgmt. with Memorandum attached.			(118)
"	Filed Defendant's Memorandum supporting Motion for Summary Judgment.			(119)
"	Filed Plaintiff's Deposition of John I. Mingay (3 volumes).			(120)

DATE 1968	PROCEEDINGS	CLERK'S FEES PLAINTIFF	CLERK'S FEES DEFENDANT	AMOUNT REPORTED IN ENCLOSURE RETURNS
5-15	Filed Plaintiff's Oral Examination of Anderson T. Leiper'			(121)
5-15	Filed Plaintiff's Oral Examination of James O. Sullivan.(2 vol.)			(122)
5-15	Filed Defendant's Objections to Plaintiff's Exhibits.			(123)
May 15	Case re-transferred to Judge Lindberg.			
May 15	Filed Objections to Defendant's Exhibits.			(124)
May 15	Filed Plaintiffs' Trial Brief.			125
May 15	Filed Reporter's Transcript of Proceedings of April 26.			(126)
May 15	Entered Record of pretrial hearing. Motion of defendant to strike interrogatories argued and taken under advisement. Motion for Summary Judgment set for May 20th at 3:00PM. Trial date set for May 22nd at 9:30AM. Plaintiffs' instructions and interrogatories to be filed May 20, 1968. Defendants' instructions and interrogatories to be filed May 22, 1968.			
May 15	Filed and entered Order making this a class action if New Rule 23, FRCP is applicable.			(127)
May 15	Filed Pretrial Order.			(128)
May 17	Filed Plaintiff's Answers to Defendant's Request for Admissions			(129)
May 17	Filed Defendant's Trial Brief.			(130)
May 20	Filed Plaintiff's Proposed Instructions.			(131)
"	Filed Defendant's Supplemental List of Exhibits for Pretrial Order.			(132)
"	Ent. order admitting William C. Wietzel specially on behalf of defendant.			
"	Ent. record of hearing on motion for summary judgment. Cont. to 10 a.m. May 21, 1968 for further hearing.			
May 21	Filed Affidavit of Amzy B. Steed re Production			(133)
"	Filed Memorandum by Defendant in opposition to Motion to Produce.			(134)
"	Filed Plaintiffs' Proposed voir dire questions to the Jury.			(135)
May 21	Ent. order after argument denying Defendant's motion for Summary Judgment.			
May 21	Filed Defendant's Proposed voir dire questions to Jury.			(136)
May 22	Filed Defendant's proposed General Verdict and Answer to Interrogatories.			(137)
"	Filed Defendant's Requested Jury Instructions.			(138)
May 22	RECORDED TRIAL BY JURY (1st day) exhibits.			
May 23	Filed Plaintiff's memorandum on objections to exhibits by defendant.			(139)
May 23	Ent. Record of Trial by Jury (2nd day), exhibits.			
May 24	Filed Plaintiff's memorandum on admissibility of documents.			(140)
May 27	Filed Deposition of Douglas Gregg (141); E. A. McFadden (142); C. E. Rathbone (143).			(Answers to written interrogatories by deft. Texaco).
"	Filed Defendant's Memorandum in Support of Contention that Certain Proposed Exhibits do not qualify as business records.			(141)

DATE 1968	PROCEEDINGS	CLERK'S FEES PLAINTIFF	CLERK'S FEES DEFENDANT	AMOUNT REPORTED IN EMOLUMENT RETURNS
May 27	Filed Defendant's Trial Brief on Admissibility of Testimony by a party as to transaction had by him with a person since deceased.			(142)
"	Filed Defendant's Memorandum Regarding Proposed Exhibits Which it Contends are Privileged.			(143)
"	Filed Defendant's Memorandum in Support of Contention that statements made by the late Mr. Cour are inadmissible.			(144)
May 27	ENTERED RECORD OF TRIAL BY JURY. (3rd day).			
May 28	Filed Deposition of John I. Mingay-behalf of plaintiffs.			(145)
"	ENT. RECORD OF TRIAL BY JURY. (4th day).			
May 29	ENTERED RECORD OF TRIAL BY JURY. (5th day).			
June 3	Filed Plaintiff's Memorandum re Defendant's Refusal to Produce.			(146)
June 3	Filed Memorandum of Law submitted by deft. respecting impropriety of imposition of any sanction or drawing of any inference because of failure to produce irrelevent and immaterial, by highly confidential corporate minutes.			(147)
June 3	ENTERED RECORD OF TRIAL BY JURY. (6th day)			
JUNE 4	ENTERED RECORD OF TRIAL BY JURY. (7th day).			
June 5	ENTERED RECORD OF TRIAL BY JURY. (8th day).			
June 6	ENTERED RECORD OF TRIAL BY JURY. (9th day).			
June 6	Entered order directing Texaco Company to furnish minutes to Referee-Special Master or the Court by Monday, June 10, 1968 at 3:00 P.M.			
June 10	ENTERED RECORD OF TRIAL BY JURY. (10th day).			
June 11	ENTERED RECORD OF TRIAL BY JURY. (11th day),			
June 12	Filed Defendant's Reply Memorandum Respecting Sanctions for Failure to Produce Irrelevant Corporate Minutes.			(148)
June 12	ENTERED RECORD OF TRIAL BY JURY. (12th day).			
Jun 13	ENTERED RECORD OF TRIAL BY JURY. (13th day).			
Jun 13	Entered record of hearing plaintiff's motion to produce minutes. The Court finds that there has been a violation of the Court's Order. The Court directs that a minute entry be made directing that the issue of Authority be deleted from this case.			
Jun 13	Filed Defendant's Motions at close of Plaintiffs' Case.			(149)
Jun 17	Filed Plaintiffs' Memorandum Re Court's Draft Instructions.			(150)
June 17	Entered RECORD OF TRIAL BY JURY (14th day).			
Jun 18	ENTERED RECORD OF TRIAL BY JURY (15th day).			
Jun 19	ENTERED RECORD OF TRIAL BY JURY. (16th day).			
Jun 20	ENTERED RECORD OF TRIAL BY JURY. (17th day).			
Jun 21	Filed Plaintiffs' Comments on Second Draft of Instructions.			(151)
Jun 21	ENTERED RECORD OF TRIAL BY JURY. (18thday).			
Jun 24	ENTERED RECORD OF TRIAL BY JURY. (19th day).			
Jun 25	ENTERED RECORD OF TRIAL BY JURY. (20th day).			
Jun 25	Filed Memorandum in Support of Plaintiffs' Requested Instructions #63.			(1
Jun 25	Filed Plaintiffs' Requested Instructions Nos. 41 thru 54.			(153)
Jun 26	Filed Plaintiff's Exceptions to Court's Proposed Instructions.			(154)
Jun 26	Filed Memorandum of Texaco Co. Order upon Writted Interrogatories.			(154a)
Jun 26	ENTERED RECORD OF TRIAL BY JURY. (21st day).			
Jun 27	Filed Defendant's Additional and Substituted or Modified Instructions.			(155)
June 27	Filed Defendant's Motions to Strike. (Ruling reserved).			(156)
June 27	Filed Defendant's Motion for Mistrial. (Ruling reserved).			(157)
June 27	Filed Defendant's Motion at Close of Evidence for Directed Verdict and Judgment.			(158)

D. C. 115A

DATE	PLEADINGS—PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
1968				
Jun 27	Filed Defendant's Memorandum Respecting Necessary Evidential Prerequisites to Recovery by Plaintiffs, Assuming, Arguendo, that a Valid Contract Existed and was Breached.			(159)
Jun 27	Filed Defendant's Memorandum on Statute of Frauds.			(160)
Jun 27	Filed Defendant's Exceptions to the Court's Instructions to the Jury.			(161)
Jun 27	Filed Defendant's Supplemental Exceptions to the Court's Instructions to the Jury.			(162)
Jun 27	Filed Defendant's Exceptions regarding the Court's Failure to Defendant's Requested Instructions and Charge the Jury in the Following Particulars and the Court's Failure to Pose Interrogatories to the Jury.			(163)
Jun 27	ENTERED RECORD OF TRIAL BY JURY. (22nd day).			
Jun 28	ENTERED RECORD OF TRIAL BY JURY. (23rd day).			
Jun 28	Entered order denying all of the defendant's motions.			
June 29	ENT. RECORD OF TRIAL BY JURY. (24th day). (Further deliberation)			
"	Filed Verdict for plaintiff in the sum of $62,559.00.			(164)
"	Filed Jurys' Answers to Special Interrogatories.			(165)
"	Ent. plaintiffs' motion to increase amount of verdict to cover evidence.			
"	Ent. order granting defendant's motion for an extra 10 days to move against verdict. (if in accordance with the law).			
July 2	Ent. Verdict in civil docket under Rule 58, FRCP.			
July 5	Filed Plaintiffs' Memorandum of Costs and Disbursements.			(166)
July 5	Filed Memorandum of Authorities in Support of Plaintiffs' Cost Bill.			(167)
July 5	Filed Plaintiffs' Notice of Hearing on Taxation of Costs, July 10, 1968.			(168)
July 10	Filed Defendant's objections to cost bill.			(169)
"	Entered costs taxed against defendant in amount of $1,930.70.			
Jul 12	Filed Defendant's Motion for New Trial.			(170)
Jul 12	Filed Defendant's Motion for Judgment Notwithstanding the Verdict or in the alternative to alter the judgment.			(171)
Jul 12	Filed Plaintiffs' Motion to Alter and Amend the Judgment to Increase the Amount of Damages or in the alternative for anew trial limited to the issues of damages.			(172)
Jul 12	Filed Plaintiff's Notice of Hearing above Motion on 8-2-68 at 11:00 A.M.			(173)
Jul 12	Filed Order extending time to July 26, 1968 to file all pleadings in support of post trial motions which were filed on or before July 12, 1968. Hearing on above motions set August 2, 1968 at 11:00 A.M.			(174)
July 17	Filed plaintiffs' motion for review of disallowance of costs.			(175)
"	Filed plaintiffs' notice of hearing motion for review of disallowance of costs on July 26, 1968 9:30 a.m.			(176)
Jul 25	Filed Defendant's Notice of Withdrawal of Motion for New Trial.			(177)
Jul 26	Filed Defendant's Memorandum of Law in Support of Defendant's Motions for Judgment Notwithstanding the Verdict or in the alternative to reduce the Judgment.			(178)

DATE 1968	PROCEEDINGS	CLERK'S FEE: PLAINTIFF	CLERK'S FEE: DEFENDANT	AMOUNT REPORTED EACH JUROR RETURNED
Jul 26	Ent. order setting 8-2-68 at 9:30 A.M. for Decision on Disallowance of Costs.			
Jul 29	Filed Memorandum in Support of Plaintiffs' Post Trial Motion. (179)			